

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

JOSHUA ROBERTS and	:	
DEBORAH CHONG,		
Individually and as Next Friend of N.R.,	:	Case No. 3:19-cv-202
their Minor Child		
	:	District Judge Thomas M. Rose
Plaintiffs,		
	:	Magistrate Judge Sharon M.
		Ovington
v.	:	
UNITED STATES OF AMERICA,		
Defendants.	:	

**FEDERAL RULE OF EVIDENCE 502(d) STIPULATED ORDER**

1. The production of privileged or work-product protected documents, electronically stored information (“ESI”), or other information (collectively, “Protected Materials”), whether inadvertent or otherwise, is not a waiver of the privilege or protection from discovery in this case or in any other federal or state proceeding. The producing party may request the privileged or work-product Protected Materials back from the receiving party at any time. The receiving party shall return the Protected Materials to the producing party within ten business days after the producing party requests the Protected Materials, and the receiving party shall not use the Protected Materials for any purpose until further Order of the Court. If the receiving party contests the producing party’s claim of privilege or work-product protection, then it will provide written notice to the producing party of the reason for the disagreement and will request a discovery conference with the Court within fifteen days of receiving the notice. The

receiving party may not challenge the claim of privilege or work-product protected designation by arguing that the disclosure itself is a waiver of any privilege or protection. If the receiving party fails to request a Court conference within fifteen business days from the initial notice by the producing party, then the receiving party will return all copies of the disputed Protected Materials to the producing party.

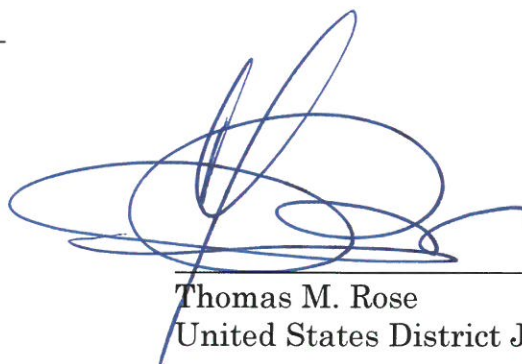
2. This Stipulated Order shall be interpreted to provide the maximum protection allowed by Federal Rule of Evidence 502(d).
3. Nothing in this Stipulated Order is intended to or shall serve to limit a party's right to conduct a review of documents, ESI (including metadata), or other information for relevance, responsiveness, or segregation of privileged or protected information before production.

SO ORDERED.

Dated: \_\_\_\_\_

12/4/19

[DATE]

A handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke at the bottom.

Thomas M. Rose  
United States District Judge

**STIPULATED AND AGREED TO:**

Signatures:

Attorney for Plaintiffs:

Attorney for Defendant:

DAVID M. DEVILLERS  
United States Attorney

s/Jamal Alsaffar

---

Pro hac vice, Texas Bar # 24027193  
*Trial Attorney for Joshua Roberts and  
Deborah Chong, Individually and as Next Friend  
of N.R., their Minor Child, N.R.*

s/John Stark

---

Assistant United States Attorney  
Ohio Bar # 0076231  
*Trial Attorney for Defendant United States*

s/Tom Jacob

---

Pro hac vice, Texas Bar # 24069981  
*Trial Attorney for Joshua Roberts and  
Deborah Chong, Individually and as Next Friend  
of N.R., their Minor Child, N.R.*

s/Michael Downey

---

Assistant United States Attorney  
Illinois Bar # 6312701  
*Trial Attorney for Defendant United States*